
SENATE BILL No. 354

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-16-9; IC 9-14-5-7; IC 9-18; IC 14-19-3-4.

Synopsis: Disabled Hoosier veteran license plate. Renames the disabled veteran license plate the disabled Hoosier veteran license plate. Provides that a person who receives a disabled Hoosier veteran license plate due to a walking impairment must have a service connected disability of at least 10%. Provides for only one design for disabled Hoosier veteran license plates. Repeals the provision requiring two distinct designs for disabled veteran license plates.

Effective: July 1, 2009.

Delph

January 8, 2009, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.

C
o
p
y



Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 354

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-16-9-8 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2009]: Sec. 8. (a) As used in this section,
3 "owner" means a person in whose name a motor vehicle is registered
4 under:

- 5 (1) IC 9-18;
- 6 (2) the laws of another state; or
- 7 (3) the laws of a foreign country.

8 (b) As used in this section, "lessee" means a person who has care,
9 custody, or control of a motor vehicle under a written agreement for the
10 rental or lease of the motor vehicle for less than sixty-one (61) days.
11 The term does not include an employee of the owner of the motor
12 vehicle.

13 (c) An owner or lessee of a motor vehicle commits a Class C
14 infraction if the motor vehicle:

- 15 (1) is located in a parking space in a parking facility that is
16 marked under section 2 of this chapter as a parking space reserved
17 for a person with a physical disability; and



C
o
p
y

(2) does not display:

(A) an unexpired parking permit for a person with a physical disability issued under IC 9-14-5;

(B) an unexpired disabled **Hoosier** veteran's registration plate issued under IC 9-18-18;

(C) an unexpired registration plate or decal for a person with a physical disability issued under IC 9-18-22; or

(D) an unexpired parking permit for a person with a physical disability, an unexpired disabled veteran's registration plate, or an unexpired registration plate or decal for a person with a physical disability issued under the laws of another state.

(d) It is a defense that IC 9-30-11-8 applies to the violation.

(e) It is a defense that the motor vehicle was the subject of an offense described in IC 35-43-4 at the time of the violation of this section.

(f) Notwithstanding IC 34-28-5-4(c), a civil judgment of not less than fifty dollars (\$50) must be imposed for an infraction committed in violation of this section.

SECTION 2. IC 5-16-9-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 9. (a) This chapter does not prohibit a county, city, or town from adopting and enforcing an ordinance that regulates standing or parking of motor vehicles in a space reserved for a person with a physical disability under section 2 of this chapter, IC 9-21-1-3, or IC 9-21-18-4.

(b) An ordinance described in subsection (a) may not conflict with this chapter.

(c) An ordinance described in subsection (a) may not require a person to obtain or display any permit, registration plate, or registration decal to stand or park in a space reserved for a person with a physical disability under section 2 of this chapter, except the following:

(1) A parking permit for a person with a physical disability issued under IC 9-14-5.

(2) A disabled **Hoosier** veteran's registration plate issued under IC 9-18-18.

(3) A registration plate or decal for a person with a physical disability issued under IC 9-18-22.

(d) An ordinance described in subsection (a) must permit a motor vehicle displaying an unexpired parking permit for a person with a physical disability, an unexpired disabled veteran's registration plate, or an unexpired registration plate or decal for a person with a physical disability issued under the laws of another state to stand or park in a space reserved for a person with a physical disability but only when the

C
o
p
y



vehicle is being used to transport a person with a physical disability.

SECTION 3. IC 9-14-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. A placard issued under this chapter must be displayed on the dashboard of a motor vehicle that is parked in a parking space reserved for persons with physical disabilities under this chapter unless the motor vehicle bears a license plate for a person with a disability issued under IC 9-18-22, a disabled **Hoosier** veteran's license plate issued under IC 9-18-18, or an equivalent parking permit issued under the laws of another state. If a placard is lost, stolen, damaged, or destroyed, the bureau shall provide a duplicate placard upon the application of the person who was issued the placard.

SECTION 4. IC 9-18-15-1, AS AMENDED BY P.L.30-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) A person who is the registered owner or lessee of a:

- (1) passenger motor vehicle;
- (2) motorcycle;
- (3) recreational vehicle; or
- (4) vehicle registered as a truck with a declared gross weight of not more than:
 - (A) eleven thousand (11,000) pounds;
 - (B) nine thousand (9,000) pounds; or
 - (C) seven thousand (7,000) pounds;

registered with the bureau or who makes an application for an original registration or renewal registration of a vehicle may apply to the bureau for a personalized license plate to be affixed to the vehicle for which registration is sought instead of the regular license plate.

(b) A person who:

- (1) is the registered owner or lessee of a vehicle described in subsection (a); and
- (2) is eligible to receive a license plate for the vehicle under:
 - (A) IC 9-18-17 (prisoner of war license plates);
 - (B) IC 9-18-18 (disabled **Hoosier** veteran license plates);
 - (C) IC 9-18-19 (Purple Heart license plates);
 - (D) IC 9-18-20 (Indiana National Guard license plates);
 - (E) IC 9-18-21 (Indiana Guard Reserve license plates);
 - (F) IC 9-18-22 (license plates for persons with disabilities);
 - (G) IC 9-18-23 (amateur radio operator license plates);
 - (H) IC 9-18-24 (civic event license plates);
 - (I) IC 9-18-24.5 (In God We Trust license plates);
 - (J) IC 9-18-25 (special group recognition license plates);

C
o
p
y



1 (K) IC 9-18-29 (environmental license plates);
 2 (L) IC 9-18-30 (kids first trust license plates);
 3 (M) IC 9-18-31 (education license plates);
 4 (N) IC 9-18-32.2 (drug free Indiana trust license plates);
 5 (O) IC 9-18-33 (Indiana FFA trust license plates);
 6 (P) IC 9-18-34 (Indiana firefighter license plates);
 7 (Q) IC 9-18-35 (Indiana food bank trust license plates);
 8 (R) IC 9-18-36 (Indiana girl scouts trust license plates);
 9 (S) IC 9-18-37 (Indiana boy scouts trust license plates);
 10 (T) IC 9-18-38 (Indiana retired armed forces member license
 11 plates);
 12 (U) IC 9-18-39 (Indiana antique car museum trust license
 13 plates);
 14 (V) IC 9-18-40 (D.A.R.E. Indiana trust license plates);
 15 (W) IC 9-18-41 (Indiana arts trust license plates);
 16 (X) IC 9-18-42 (Indiana health trust license plates);
 17 (Y) IC 9-18-43 (Indiana mental health trust license plates);
 18 (Z) IC 9-18-44 (Indiana Native American trust license plates);
 19 (AA) IC 9-18-45.8 (Pearl Harbor survivor license plates);
 20 (BB) IC 9-18-46.2 (Indiana state educational institution trust
 21 license plates);
 22 (CC) IC 9-18-47 (Lewis and Clark bicentennial license plates);
 23 (DD) IC 9-18-48 (Riley Children's Foundation license plates);
 24 (EE) IC 9-18-49 (National Football League franchised
 25 professional football team license plates);
 26 (FF) IC 9-18-50 (Hoosier veteran license plates);
 27 (GG) IC 9-18-51 (support our troops license plates); or
 28 (HH) IC 9-18-52 (Abraham Lincoln bicentennial license
 29 plates);

30 may apply to the bureau for a personalized license plate to be affixed
 31 to the vehicle for which registration is sought instead of the regular
 32 special recognition license plate.

33 SECTION 5. IC 9-18-18-1 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) A person may
 35 apply for, receive, and display a disabled **Hoosier** veteran license plate
 36 on the person's vehicle for private and personal use if the person, as the
 37 result of having served in the armed forces of the United States, has:

- 38 (1) lost sight in both eyes or suffered permanent impairment of
 39 vision in both eyes to the extent of being eligible for
 40 service-connected compensation for the loss;
 41 (2) suffered the loss of one (1) or both feet or the permanent loss
 42 of use of one (1) or both feet;

C
 o
 p
 y



(3) suffered the loss of one (1) or both hands or the permanent loss of use of one (1) or both hands; or

(4) a ~~physical condition that precludes the person from walking without pain or difficulty.~~ **disability rating of ten percent (10%) or more due to a disability that impairs the person's ability to walk.**

(b) An application for a disabled **Hoosier** veteran license plate must be accompanied by a certificate from the:

(1) United States Department of Veterans Affairs; or

(2) appropriate branch of the armed forces of the United States; confirming the eligibility of the person submitting the application for the disabled **Hoosier** veteran license plate. **If the person is eligible under subsection (a)(4) and has a disability rating of at least ten percent (10%) but not more than forty percent (40%), the certificate submitted under this subsection must specifically indicate that the person's eligibility is due to a walking impairment.**

SECTION 6. IC 9-18-18-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) A person qualifying under section 1 of this chapter may not be charged the following:

(1) A fee for parking in a metered space.

(2) A penalty for parking in a metered space for longer than the time permitted.

(b) This section does not authorize parking of a motor vehicle in places where parking is not allowed at any time when the prohibition is posted and authorized by ordinances in cities and towns or by order of the Indiana department of transportation.

(c) A person other than the owner of the motor vehicle displaying a disabled **Hoosier** veteran license plate authorized by this chapter is not entitled to the parking privileges authorized by this section.

SECTION 7. IC 9-18-18-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. The bureau:

(1) may design and issue disabled **Hoosier** veteran license plates to implement this chapter; and

(2) shall administer this chapter relating to proper certification for a person applying for a disabled **Hoosier** veteran license plate.

SECTION 8. IC 9-18-18-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. Not more than two (2) disabled **Hoosier** veteran license plates may be issued to each eligible person.

SECTION 9. IC 9-18-18-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. The disabled

C
o
p
y



Hoosier veteran license plates authorized under this chapter shall be issued by the bureau for any classification of vehicle required to be registered under Indiana law, but the license plate may not be used for commercial vehicles.

SECTION 10. IC 9-18-18-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. A ~~Class 1 disabled~~ **Hoosier veteran** license plate must be ~~blue and~~ gold in color with blue lettering and contain the following:

- (1) Identification numerals.
- (2) The words "Disabled ~~Am Vet~~ **Hoosier Veteran**".

SECTION 11. IC 9-18-25-1, AS AMENDED BY P.L.30-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. This chapter does not apply to the following:

- (1) Antique motor vehicle license plates (IC 9-18-12).
- (2) Recovery vehicle license plates (IC 9-18-13).
- (3) Personalized license plates (IC 9-18-15).
- (4) Prisoner of war license plates (IC 9-18-17).
- (5) Disabled **Hoosier** veteran license plates (IC 9-18-18).
- (6) Purple Heart license plates (IC 9-18-19).
- (7) Indiana National Guard license plates (IC 9-18-20).
- (8) Person with a disability license plates (IC 9-18-22).
- (9) Amateur radio operator license plates (IC 9-18-23).
- (10) In God We Trust license plates (IC 9-18-24.5).
- (11) Pearl Harbor survivor license plates (IC 9-18-45.8).
- (12) Hoosier veteran license plates (IC 9-18-50).
- (13) Support our troops license plates (IC 9-18-51).
- (14) Abraham Lincoln bicentennial license plates (IC 9-18-52).

SECTION 12. IC 14-19-3-4, AS AMENDED BY P.L.1-2006, SECTION 211, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) Upon application to the department, a resident of Indiana:

- (1) who:
 - (A) if born in 1933, 1934, 1935, 1936, or 1937, is at least sixty (60) years of age; or
 - (B) if born before 1933 or after 1937, is at least sixty-five (65) years of age;
- (2) who is eligible for Social Security disability payments under 42 U.S.C. 423;
- (3) who is eligible for a disabled **Hoosier** veteran license plate under IC 9-18-18-1; or
- (4) who is issued a prisoner of war license plate under IC 9-18-17-1;

C
o
p
y



1 may purchase or is eligible to receive an annual Golden Hoosier
2 Passport.

3 (b) A Golden Hoosier Passport entitles:

- 4 (1) the resident;
5 (2) the resident's motor vehicle; and
6 (3) the resident's passengers;

7 to unlimited admission for one (1) calendar year to the Indiana state
8 parks, recreation areas, reservoirs, forests, historic sites, museums,
9 memorials, and other department properties for which admission is
10 charged during the year for which the passport was issued.

11 (c) Except as provided in subsection (d), the fee for an annual
12 Golden Hoosier Passport issued under this section is fifty percent
13 (50%) of the fee that the department charges a resident who is not
14 described in subsection (a)(1), (a)(2), or (a)(3) for unlimited admission
15 for one (1) calendar year to the Indiana state parks, recreation areas,
16 reservoirs, forests, historic sites, museums, memorials, and other
17 department properties for which admission is charged.

18 (d) A fee may not be charged for an annual Golden Hoosier Passport
19 issued under this section to a resident described in subsection (a)(4).

20 SECTION 13. IC 9-18-18-6 IS REPEALED [EFFECTIVE JULY 1,
21 2009].

22 SECTION 14. [EFFECTIVE JULY 1, 2009] (a) **IC 9-18-18-7, as**
23 **amended by this act, applies to license plates issued or renewed**
24 **after December 31, 2009.**

25 (b) **This SECTION expires June 30, 2014.**

c
o
p
y

